

AFFIDAVIT

I, Daniel Frazier, a Detective with the Kansas City, Missouri Police Department and a Task Force Officer with the Federal Bureau of Investigation (FBI), being duly sworn, state the following:

1. I am a detective with the Kansas City, Missouri, Police Department and a Task Force Officer with the Federal Bureau of Investigation (FBI) currently assigned to the FBI Kansas City Violent Crime Task Force. I have been a police officer with the Kansas City, Missouri, Police Department since 2005 and a Task Force Officer with the FBI since 2020. My current duties at the FBI are to investigate violations of federal drug laws, federal weapons violations, and other gang and violent crime related matters. During my time with the Kansas City, Missouri, Police Department I served in the Patrol Bureau for five years and ten years in the Violent Crimes Division as a Special Victim's Unit detective (1 year) and Homicide Unit Detective (9 years) investigating violent crimes and related offenses as part of my duties, I have served as an investigator on multiple illegal narcotics, weapons violations, and violent offender investigations.

2. This affidavit is in support of securing a criminal complaint against **Matthew E. MADDEN, B/M, DOB: 09/05/1997** for violating Title 18, United States Code, Section 922 (g)(3) by being a habitual narcotic user in possession of a firearm.

3. The information contained in this affidavit is based upon my investigation and information provided by other law enforcement officers and other persons whom I believe to be reliable.

4. Because this affidavit is for the limited purpose of securing a Criminal Complaint, I have not set forth each and every fact known to me concerning this investigation. I have included what I believe are the facts sufficient to establish probable cause for the complaint sought. The following information was obtained by me personally or has been provided to me by persons whom I believe to be reliable.

Probable Cause

5. On June 2, 2020, Kansas City, Missouri, Police Department officers were in the area of 47th Street and J.C. Nichols Parkway – located in the Country Club Plaza (“Plaza”) – regarding protesters that had gathered in the area. This was the fifth day protesters had gathered in the Plaza.

6. During the protests over the previous five days, officers monitored the crowd and participated in crowd control and they reported some violent protesters threw bottles and rocks at them causing injury to officers and damage to personal and public property.

7. On June 2, 2020, Task Force Officer Joseph Daneff and I were assigned to monitor the gathering along with other TFOs in a covert manner to identify persons who were throwing objects at law enforcement officers. While monitoring the group, TFO's received information from detectives who observed a black male with long dreadlocks, wearing a white t-shirt, red shorts, and red shoes with a black “fanny pack” with a yellow stripe throwing water bottles at officers who were providing site security. This man was later identified as Matthew MADDEN.

8. On this same evening, officers observed MADDEN throwing waters bottles from the southwest corner of Mill Creek Park located at 47th Street and J.C. Nichols parkway in Kansas City, Jackson County, Missouri. TFO Daneff and TFO Frazier observed MADDEN walk northbound in the park away from the main group as though he was leaving the area still carrying

the black fanny pack with a yellow stripe over his shoulder. Covert units moved into the area while TFO Daneff and TFO Frazier attempted to contact MADDEN. TFO Daneff and TFO Frazier wore black bulletproof vests with "POLICE" marked on the front and back. They also wore badges attached to the vests. As the TFO's neared MADDEN, TFO Daneff informed MADDEN that they were police officers and asked him to stop so that they could talk to him. MADDEN immediately ran away northbound through the park toward 43rd Street and J.C. Nichols Parkway. Officers captured MADDEN near a tree line located on the east side of the park. During the pursuit, an officer observed MADDEN discard the fanny pack that he had been previously observed carrying over his shoulder when he ran away. TFOs recovered the fanny pack.

9. Officers searched MADDEN and the fanny pack incident to arrest and recovered a small plastic baggie containing 1.23 grams of a green leafy substance, a Glock 22, .40 caliber semi-automatic handgun, bearing serial number LPB941 that was loaded with 15 rounds of live ammunition. In addition, TFO's recovered an extended round magazine that contained 27 live rounds. All the live rounds were .40 caliber.

10. On June 3, 2020, at approximately 2:34 a.m., TFO's interviewed MADDEN at the KCPD Metro Patrol Station. Before the interview, TFO's informed MADDEN of his *Miranda Rights* via the *Miranda* waiver form, which was read aloud to him. MADDEN said he understood his rights and was willing to talk to TFOs regarding his arrest.

11. During the interview MADDEN said he found the fanny pack in the park while he was at the protest. MADDEN said he figured it was a gun because of the way the fanny pack felt but said he never fully opened it to look inside because of the large group of people around him. When the TFO's asked MADDEN if his DNA would be found on the gun MADDEN admitted that it likely would because he stuck his hand inside the fanny pack to

feel around to determine what was inside. MADDEN also admitted he knew marijuana was in the pack because he could smell the marijuana. When asked about his use of marijuana MADDEN admitted he is a habitual user of marijuana and smokes approximately 1-2 marijuana cigarettes a day and has routinely smoked marijuana since he was five years old. MADDEN said he is currently homeless and lives in Rosedale Park which is located in Kansas City, Kansas. MADDEN said before he was arrested he walked to the protest from Kansas to be a part of it. When asked why he wanted to be a part of the protest MADDEN said he had been part of peaceful protests in the past but peaceful protests never achieved anything so he wanted to be heard. MADDEN admitted he threw things at the officers to fit in and be seen.

12. A check of local police databases reveals MADDEN has an active misdemeanor warrant from Johnson County, Kansas, for a “dangerous” drug charge.

13. A review of MADDEN’s criminal history reveals he has the following:

- 2017 Johnson County, Kansas, District Court charge for possession of a stolen firearm Case number 17CR02524, MADDEN plead guilty to a misdemeanor was sentenced to six (6) months in jail;
- 2018 arrest in Kansas City, Kansas, for possession of narcotics Case Number 201800112701;

14. TFO’s contacted ATF Special Agent Steven Lester regarding the recovered Glock 22, .40 caliber semi-automatic handgun, bearing serial number LPB941. Special Agent Lester said the firearm was manufactured outside of Missouri and therefore, it affected interstate commerce.

15. Based on the above information and my training and experience I believe there is probable cause to believe that MADDEN violated Title 18, United States Code, Section 922(g) (3) by being a habitual narcotic user in possession of a firearm.

FURTHER AFFIANT SAYETH NAUGHT.

Respectfully submitted,

Daniel W. Frazier
Task Force Officer
Federal Bureau of Investigation

#5180

Subscribed and sworn to before me on this 4th June, 2020 By telephone.


HONORABLE SARAH W. HAYS John T. Maughmer
UNITED STATES MAGISTRATE JUDGE